

STATE MS. - DESOTO CO. *WJ*  
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FEB 28 11 14 AM '00

Prepared by and Return to:

Daniel R. Lozier  
**LOZIER, THAMES & FRAZIER, P.A.**  
 125 W. Romana Street  
 Suite 224, One Pensacola Plaza  
 Pensacola, Florida 32501

BK 368 PG 124  
W.F. DAVID CH. CLK.]

469-0202  
 STATE OF *Mississippi*  
 COUNTY OF *Ortilla*

**DISCLAIMER OF INTEREST**

**KNOW ALL PERSONS BY THE PRESENTS**, that I, HENRY CLAYBURN TIPTON, after first being duly cautioned, and after having taken a sworn oath, do hereby declare under penalties of perjury:

1. To the best of my knowledge and belief, I am a beneficiary of the estate of James Oliver Farrell, deceased, ("Estate"), which decedent was domiciled in Shelby County, Tennessee.
2. That a copy of the Last Will and Testament of the aforesaid decedent dated June 11, 1998, provides in Item III thereof the following:

**ITEM III**  
**Bequest of Real Property**

I own property in Mississippi and Missouri. Upon my death, my Executor is directed to convey that property to Henry Clayburn Tipton and Lois Rochelle, in equal shares. If Henry Clayburn Tipton does not survive me, then my Executor shall convey his one-half interest in the Missouri and Mississippi property to Henry Clayburn Tipton's living children. In the event that Lois Rochelle does not survive me, then her one-half portion shall be conveyed to Robert Rochelle.

However, if any Mississippi or Missouri property that I own at the time of my death is subject to an executed contract for the sale of that property, then my Executor is directed to sell the property pursuant to the terms of the contract and the proceeds are to be paid to my wife, Andrea Tiscia Farrell. Any property remaining that is not under contract shall be conveyed as described in the paragraph proceeding this paragraph.

3. I am one and the same "Henry Clayburn Tipton" referenced in the aforesaid Last Will and Testament. To the best of my knowledge and belief the legal descriptions of the Mississippi and Missouri property referenced in the aforesaid Last Will and Testament are attached hereto as Exhibit "A," hereby incorporated by reference. Said property is hereinafter referred to as the "Property."

4. I understand that in accordance with applicable state law and Section 2518 of the Internal Revenue Code of 1986, I may disclaim any right, title, and/or interest which I may have in the aforesaid Estate and in the aforesaid Property and that upon disclaiming such interests, I will be deemed to have predeceased the aforesaid decedent.

5. In accordance with applicable state law and Section 2518 of the Internal Revenue Code of 1986, I hereby disclaim any right, title, and/or interest which I may have in and to the aforesaid Estate and in and to the aforesaid Property and do hereby irrevocably, unqualifiedly, and unconditionally refuse to accept any right, title, and/or interest in the aforesaid Estate or Property.

6. My right to make the within disclaimer has not been waived nor barred.

7. I have not accepted any right, title, and/or interest in the aforesaid Estate or Property nor in any of their respective benefits.

8. I have received no consideration for making the within disclaimer.

9. The disposition of any right, title, and/or interest in the aforesaid Estate and Property as disclaimed herein, is not and shall not be within my power to direct, but shall occur according to law.

IN WITNESS WHEREOF, I, the undersigned, have executed this instrument effective the 22nd day of February, 2000.

WITNESSES:

Willie McGee, D.C.  
Witness  
Print Name: Willie DEAN, D.C.

Carolyn Boswell  
Witness  
Print Name: Carolyn Boswell

Henry Clayburn Tipton  
HENRY CLAYBURN TIPTON

STATE OF Mississippi  
COUNTY OF Oktibbeha

The foregoing instrument was acknowledged before me this 22nd day of February, 2000, by HENRY CLAYBURN TIPTON, who is personally known to me or who has produced Ms. Drivers License as identification and has taken an oath.

Ronita W. Banks-Cleyp  
NOTARY PUBLIC By: Nelda Boswell  
Commission No. \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
MY COMMISSION EXPIRES JAN. 2004

**EXHIBIT "A"****Property located in DeSoto County, Mississippi -****FIRST TRACT:**

Fifty-five acres, (55), the south part of the east half of the west half of the west half of Section One (1) Township Two (2), Range Eight (8) west, and more particularly described as beginning at a point on the south line of said Section 10 chains east of the southwest corner thereof, thence north 55 chains; thence east 10 chains; thence south 55 chains; thence east 10 chains; thence south 55 chains to the south line of said section; thence west on said section line 10 chains to the beginning, together with all appurtenances and hereditaments thereto belonging.

**SECOND TRACT:**

A part of the Northwest quarter of Section 12, Township 2, Range 8 West, described by metes and bounds as:

Beginning at a point in the north boundary line of said Section 23.53 chains east of the northwest corner of said Section, the same being the northeast corner of the Elbert and Annie Wilburn 10 acre tract, thence south 4-1/2 degrees east along the east line of said 10 acre tract 13.30 chains to the southeast corner thereof; thence west on the south line of said 10 acre tract 7.53 chains to the southwest corner thereof; thence south 4-1/2 degrees east 14.37 chains to a stake; thence east 16.34 chains to a stake; thence north 9-1/2 degrees west 27.87 chains to a stake in the north line of said section; thence west on the north line of said section 8.81 chains to the beginning, containing 37-1/2 acres, more or less.

**THIRD TRACT:**

A tract of land containing 47-3/4 acres, in Section 1 Township 2, Range 8 West, described in 2 parcels as follows:

**First Parcel:** Beginning at a point 20 chains east and 20 chains north of the southwest corner of Said Section 1; thence east 12.25 chains to a stake; thence north 35 chains to a stake; thence west 12.25 chains to a stake; thence south 35 chains to the beginning, containing 42-3/4 acres in the above-described land;

**Second Parcel:** Beginning at the northeast corner of the South half of the northwest quarter of said Section 1; thence south 5 chains; thence west 10 chains; thence north 5 chains; thence west 10 chains to the beginning and containing 5 acres.

Property located in New Madrid County, Missouri -

A tract of land in the South Half (S 1/2) of Lot 2 of the Southwest Quarter (SW 1/4) of Section 7, Township 22 North, Range 12 East, New Madrid County, Missouri, more particularly described as follows: All of the land in the South Half (S 1/2) of Lot 2 of the Southwest Quarter (SW 1/4) of said Section 7 West of a line parallel to and 1,436 feet West of the North and South quarter section line of said Section 7 and lying North of the right-of-way of U.S. Highway 62 and East of the right-of-way of Highway 153, being same as route SA, plats of both being filed in the New Madrid County Clerk's office, and also excepting therefrom the following described tract of land: begin on the South line of said Section 7 at a point 169 feet East of the Southwest corner of Section 7; thence East 46 feet along the South line of Section 7; thence North 78 degrees 30 minutes West 212.4 feet; thence West 62 feet; thence South 0 degrees 45 minutes East 156 feet; thence South 51 degrees 15 minutes East 81 feet to the point of beginning. The main tract contains 42.1 acres and is shown on page 183 of the Acreage Plat Book as Lot 2 of the Southwest Quarter of Section 7, Township 22 North, Range 12 East. Also an easement being all rights of ingress and egress on, over, across, and through the one-half acre as given in Warranty Deed dated November 16, 1936, and excluded from fee description conveyed, recorded Book 110 at page 384 of the Land Records of New Madrid County, Missouri. Also less approximately 2 acres conveyed for a road right-of-way leaving a net taxable acreage of 40.21 acres, more or less, conveyed hereby, and being the same land described by the Deed recorded in Book 192, page 595 in the Recorder's Office of said County, less the road right of way.